

# *The Village of Northfield*

## *Agenda*

Regular Council Meeting

*April 13, 2016*

### **Pledge of Allegiance**

### **Call to order; Roll call; Approval of Minutes**

### **Presentation of Petitions, Memorials and Remonstrances**

### **Reports of Municipal Officers:**

Jesse J. Nehez, Mayor  
Tricia Ingrassia, Finance Director  
Richard Wasosky, Engineer  
Bradric Bryan, Law Director

### **Department Heads:**

Police Chief Mark Wentz  
Fire Chief Jason Buss  
Service/Bld.Supt. Jason Walters

### **Reports of Municipal Boards and Commissions:**

Planning Commission, Alan Hipps  
Recreation Board, Mayor Nehez  
Cemetery Board, Beatrice Greenlee

### **Reports of Standing Committees:**

Finance, Nick Magistrelli  
Roads/Public Works, Jim Daugherty  
Health and Welfare, Renell Noack  
Wages and Working Conditions, Gary Vojtush  
Fire and Safety, Jenn Domzalski  
Buildings and Grounds, Alan Hipps

### **Legislation:**

**2016-21** – An Emergency Resolution Confirming the Mayor's Appointment of Linda Bowen to the Recreation Board.

**2016-22** – An Emergency Resolution Confirming the Mayor's Appointment of Bea Greenlee to the Recreation Board.

**2016-25**– An Emergency Resolution Confirming the Mayor / Director of Public Safety's Appointment of Nicholas Miltner as a Part-Time Police Officer.

**2016-26** – An Emergency Resolution Authorizing Certain Amendments to the 2016 Appropriation and / or Transferring Items already Appropriated in that Resolution.

**2016-27** – An Emergency Resolution Authorizing the Mayor to Extend the Senior Center Lease Agreement between the Village, Northfield Center Township, Sagamore Hills and Epiphany Luthern Church.

**2016-28** – An Emergency Resolution Authorizing the Establishment of the Ledge Road Improvement Fund Within the Village's Financial Records.

**2016-29** – An Emergency Ordinance Amending Section 648.04(e) of the Criminal Code Relating to the Degree of Offense for Disorderly Conduct.

**Old Business; New Business; Announcements; Adjournment**

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2016-21**

**AN EMERGENCY RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF  
LINDA BOWEN TO THE RECREATION BOARD**

**WHEREAS**, there is presently a vacancy on the Recreation Board; and

**WHEREAS**, Section 12.01 of the Charter provides that Recreation Board members are appointed by the Mayor subject to confirmation by a two-thirds vote of those members elected to Council; and

**WHEREAS**, Linda Bowen is interested in being appointed to the Recreation Board, is an elector of the Municipality, and does not hold any other Municipal office; and the Mayor desires to appoint Ms. Bowen to the Recreation Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Northfield, County of Summit, and State of Ohio:

**SECTION 1.** That the Mayor's appointment of Linda Bowen to the recreation Board is hereby and herein confirmed. The interim term to which Ms. Bowen is hereby appointed expires on February 22, 2017.

**SECTION 2.** That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

**SECTION 4.** That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield, for the reason that a vacancy on the Recreation Board exists and needs to be filled, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

**IN WITNESS WHEREOF**, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2016-22**

**AN EMERGENCY RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF  
BEA GREENLEE TO THE RECREATION BOARD**

**WHEREAS**, there is presently a vacancy on the Recreation Board; and

**WHEREAS**, Section 12.01 of the Charter provides that Recreation Board members are appointed by the Mayor subject to confirmation by a two-thirds vote of those members elected to Council; and

**WHEREAS**, Bea Greenlee is interested in being appointed to the Recreation Board, is an elector of the Municipality, and does not hold any other Municipal office; and the Mayor desires to appoint Ms. Greenlee to the Recreation Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Northfield, County of Summit, and State of Ohio:

**SECTION 1.** That the Mayor's appointment of Bea Greenlee to the recreation Board is hereby and herein confirmed. The interim term to which Ms. Greenlee is hereby appointed expires on February 22, 2017.

**SECTION 2.** That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

**SECTION 4.** That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield, for the reason that a vacancy on the Recreation Board exists and needs to be filled, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

**IN WITNESS WHEREOF**, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2016-25**  
**AN EMERGENCY RESOLUTION**  
**CONFIRMING THE MAYOR/DIRECTOR OF PUBLIC SAFETY'S APPOINTMENT OF**  
**NICHOLAS MILTNER AS A PART-TIME POLICE OFFICER**

WHEREAS, the Village's Police Department is in immediate need of additional part-time police officers; and

WHEREAS, the Village's Mayor/Director of Public Safety, Police Chief, and Council have determined that Nicholas Miltner is qualified for appointment to the position of Part-Time Police Officer.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Mayor/Director of Public Safety's appointment of Nicholas Miltner as a Part-Time Police Officer is hereby confirmed, effective immediately.

SECTION 2. That said appointment shall involve a one year probationary period pursuant to the terms of Section 11.04 of the Village Charter.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with the proper protection of the Village's residents, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2016-26**  
**AN EMERGENCY RESOLUTION AUTHORIZING CERTAIN AMENDMENTS TO THE**  
**2016 APPROPRIATION RESOLUTION AND/OR TRANSFERRING ITEMS ALREADY**  
**APPROPRIATED IN THAT RESOLUTION**

WHEREAS, as the result of certain occurrences, information, and expenditures, amendments to the year 2016 Appropriation Resolution and/or transfers of items already appropriated in the Appropriation Resolution are required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That in order to provide for certain expenditures during the 2016 calendar year, Council hereby and herein authorizes the amendments to the Year 2016 Appropriation Resolution and transfers of items already appropriated in the year 2016 Appropriation Resolution in the amounts and to the funds set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that this action is required by state law and is necessary for the operation of the Village government, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Nicholas Magistrelli, President Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

VILLAGE OF NORTHFIELD			
Amendments and Transfer Ordinance 2016			
Amendments to Current Appropriation		Amount	2016-3
A01-7-G-245	Refunds	\$ 24,000.00	Ohio Edison Income Tax Refund from January
A01-7-J-243	Other Expenses	\$ 1,000.00	Land & Building
B09-1-A-222	Training	\$ 4,000.00	Police Department training from LEA fund
B17-7-C-220	Training	\$ 600.00	Court Clerk conference
<b>RETURN OF ADVANCES</b>			
From	To		
<b>TRANSFERS</b>			
From	To		
<b>ADVANCES</b>			
From	To		
For April 13, 2016 Council Meeting			

For April 13, 2016 Council Meeting

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2015-27**  
**AN EMERGENCY RESOLUTION**  
**AUTHORIZING THE MAYOR TO EXTEND THE SENIOR CENTER LEASE**  
**AGREEMENT BETWEEN THE VILLAGE, NORTHFIELD CENTER TOWNSHIP,**  
**SAGAMORE HILLS TOWNSHIP, AND EPIPHANY LUTHERAN CHURCH**

WHEREAS, the Village, Sagamore Hills Twp., and Northfield Center Twp., want to extend the senior center lease agreement with the Epiphany Lutheran Church for an additional one year period from January 1, 2016 through December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein authorizes the Mayor to extend the lease agreement between the Village, Sagamore Hills Twp., Northfield Center Twp., and the Epiphany Lutheran Church for the operation of a senior center at Epiphany Lutheran Church for the period from January 1, 2016 through December 31, 2016, on each Wednesday from 10:00 a.m. to 4:00 p.m. The Village's financial contribution in connection with the within agreement for the period in question is \$3,000.

SECTION 2. That Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken at an open meeting of this Council, and all deliberations of this Council and/or any committees that resulted in those formal actions were taken in meetings open to the public in compliance with the law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will permit a popular senior social activity to continue, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council



## LEASE AGREEMENT

**THIS LEASE AGREEMENT** made this \_\_\_\_\_ day \_\_\_\_\_, 2016 at \_\_\_\_\_, Ohio, by and between **EPIPHANY LUTHERAN CHURCH**, located at 10503 Valley View Road, Northfield Center, Ohio 44067, is hereinafter called "LESSOR", and **NORTHFIELD CENTER TOWNSHIP, VILLAGE OF NORTHFIELD, AND SAGAMORE HILLS TOWNSHIP**, called "LESSEE."

**DESCRIPTION, USE AND TERM:** LESSEE shall use the premises known as the downstairs room of 10503 Valley View Road, Northfield Center, Ohio, being a space with a maximum occupancy of \_\_\_\_\_ persons each Wednesday for the period of January 1, 2016 through December 31, 2016 from 10:00 A.M. to 4:00 P.M., one (1) day a week to be used as a "SENIOR CENTER".

**RENT:** LESSEE shall pay LESSOR at such address as LESSOR will direct, or at such other place as the LESSOR shall designate from time to time in writing as rent for the leased premises the amount as follows: Nine Thousand Dollars (\$9,000.00) for the twelve (12) month period of January 1, 2016 through December 31, 2016, with each individual LESSEE contributing Three Thousand Dollars (3,000.00) each shall pay towards said rent in advance of said period.

**INSURANCE:** LESSOR has liability insurance for the premises through Church Mutual and shall continue to provide and maintain such liability insurance and provide a copy of the Declaration Page to each of the LESSEES during the period of this Lease. LESSOR shall covenant that it will continue to maintain such insurance throughout the term of this Lease

**UTILITIES:** LESSOR shall during the term hereof pay all charges for utilities including water charges, including sewer charges.

**REPAIRS:** LESSOR shall make all necessary repairs, interior and exterior, in and about the demised premises at their own expense, including routine maintenance, heating and air conditioning, snow and ice removal.

**ALTERATIONS, IMPROVEMENTS AND FIXTURES:** LESSEE shall not add or alter the leased premises or install fixtures or signage of any type thereon.

**DEPOSIT:** There shall be no security deposit.

**SURRENDER OF PREMISES:** LESSEE agrees to and shall, on expiration or sooner termination of the term hereof or of any extended terms hereof, promptly surrender and deliver the leased premises without demand therefore in good condition, ordinary wear and tear expected and deliver the keys to the LESSOR.

**DEFAULT BY LESSEE:** If LESSEE shall fail to pay any rent due hereunder within ten (10) days after the same shall be due, or shall remain in default under any other condition of this Lease for a period of three (3) days after written notice from LESSOR, or should any other person than LESSEE secure possession of the premises, or any part thereof by reason of any receivership, bankruptcy proceedings, or other operation of law in any manner whatsoever, LESSOR may at its option, without notice to LESSEE, terminate this Lease, or in the alternative,

LESSOR may re-enter and take possession of said premises and remove all persons and property therefrom, without being deemed guilty of any manner of trespass and relet the premises or any part thereof, for all or any part of the remainder of said term, to a part satisfactory to LESSOR and at such monthly rental as LESSOR may with reasonable diligence be able to secure. All rights and remedies of LESSOR under this Lease shall be cumulative, and none shall exclude any other right or remedy at law.

**CONDEMNATION:** If during the term of this lease, all of the leased premises should be taken for any public use by right of eminent domain or should be sold to the condemning authority under threat of condemnation, this lease shall terminate and the rent shall be abated during the unexpired portion of this lease effective as of the date of taking of said premises by the condemning authority.

**GENERAL PROVISIONS:**

(a) **NOTICES AND ADDRESSES:** All notices provided to be given under this Agreement shall be given by certified mail or registered mail, addressed to the property party at the address of the party.

(b) **OHIO LAW TO APPLY:** This Agreement shall be construed under and in accordance with the laws of the State of Ohio, and all obligations of the parties created hereunder are performable in Summit County, Ohio.

(c) **LEGAL CONSTRUCTION:** In case any one or more of the provisions contained in this Lease shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall be construed as if such valid, illegal or unenforceable provision had never been contained herein.

(d) **SOLE AGREEMENT OF THE PARTIES:** This Lease constitutes the sole and only agreement of the parties hereto and supersedes any prior understanding or written oral agreement between the parties respecting the within subject matter.

(e) **AMENDMENT:** No amendment, modification or alteration of the terms hereof shall be binding unless the same is in writing dated subsequent to the date hereof and duly executed by the parties hereto.

(f) **WAIVER OF DEFAULT:** No waiver by the parties hereto of any default or breach of any term, condition or covenant of this Lease shall be deemed to be a waiver of any breach of the same or any other term, condition or covenant contained herein.

(g) **EXCUSE:** Neither LESSOR nor LESSEE shall be required to perform any term, condition or covenant in this Lease so long as such performance is delayed or prevented by any act of God, strikes, lockouts, material or labor restrictions by any governmental authority, civil riot, floods and any other cause not reasonably within control of the LESSOR or LESSEE and which by the exercise of due diligence LESSOR or LESSEE is unable, wholly or in part, to prevent or overcome.

(h) **SUBORDINATION:** This Lease and any extensions of the terms hereof shall be subordinate, at the option of LESSOR, to any and all encumbrances given by LESSOR.

The undersigned LESSOR and LESSEE hereto execute this Agreement as of the day and year first written above.

**"LESSOR"**  
**EPIPHANY LUTHERAN CHURCH**

By: \_\_\_\_\_  
X

State of Ohio                    )  
  ) S.S.  
County of \_\_\_\_\_ )

BEFORE ME, a Notary Public in and for said County and State, personally appeared **WILLIAM LUPICA, TRUSTEE of EPIPHANY LUTHERAN CHURCH**, who acknowledged that he did sign the foregoing instrument and that said instrument is his free act and deed as authorized by **EPIPHANY LUTHERAN CHURCH**.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_

**"LESSEE"**  
**NORTHFIELD CENTER TOWNSHIP**  
**BOARD OF TRUSTEES**

By: \_\_\_\_\_  
X

State of Ohio                    )  
  ) S.S.  
County of \_\_\_\_\_ )

**BEFORE ME**, a Notary Public in and for said County and State, personally appeared the above ~~named~~ \_\_\_\_\_ as authorized by **NORTHFIELD CENTER TOWNSHIP**, who ~~acknowledged~~ that they did sign the foregoing instrument and that said instrument is their free act and deed as authorized by said governmental entity.

**IN TESTIMONY WHEREOF**, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_

**"LESSEE"**  
**VILLAGE OF NORTHFIELD**

By: \_\_\_\_\_  
X

State of Ohio                    )  
  ) S.S.  
County of \_\_\_\_\_ )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named \_\_\_\_\_ as authorized by **VILLAGE OF NORTHFIELD**, who acknowledged that they did sign the foregoing instrument and that said instrument is their free act and deed as authorized by said governmental entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_

**"LESSEE"**  
**SAGAMORE HILLS TOWNSHIP**  
**BOARD OF TRUSTEES**

By: \_\_\_\_\_  
X

State of Ohio                    )  
  ) S.S.  
County of \_\_\_\_\_        )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named \_\_\_\_\_ as authorized by **SAGAMORE HILLS TOWNSHIP**, who acknowledged that they did sign the foregoing instrument and that said instrument is their free act and deed as authorized by said governmental entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2016-28**  
**AN EMERGENCY RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE**  
**LEDGE ROAD IMPROVEMENT FUND WITHIN THE VILLAGE'S FINANCIAL**  
**RECORDS**

WHEREAS, the Village has been awarded an Ohio Public Works Commission Local Transportation Improvement Program Grant in the amount of \$349,359 for the Ledge Road Reconstruction Phase I Project; and

WHEREAS, the Village has also been awarded a Community Development Block Grant in the amount of \$50,000 through the Summit County Department of Community and Economic Development for the above project; and

WHEREAS, as a result of the above grants, the Village needs to establish a fund to account for the receipt and payment of monies related to the above grants and the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein authorizes the establishment of the Ledge Road Improvement Fund within the Village's financial records.

SECTION 2. That all formal actions of this Council and any actions of its committees that resulted in those formal actions concerning and relating to the passage of this Resolution were taken in meetings open to the public in compliance with law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that the Village is required by law to establish such a fund to account for the receipt and payment of funds in connection with this project, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Nicholas Magistrelli, President Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

**VILLAGE OF NORTHFIELD ORDINANCE NO. 2016-29**

**AN EMERGENCY ORDINANCE AMENDING SECTION 648.04(e) OF THE CRIMINAL CODE RELATING TO THE DEGREE OF OFFENSE FOR DISORDERLY CONDUCT**

WHEREAS, the Mayor, Council, Prosecutor, and Police Chief desire to amend the penalty section in the Village's Criminal Code for the offense of disorderly conduct to make the degree of the offense consistent with that provided for in the Ohio Revised Code for the offense of disorderly conduct.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby and herein amends Section 648.04(e) of the Criminal Code as indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will make the penalties consistent for the offense of disorderly conduct regardless of whether a Village officer chooses to cite a defendant under the Village Code or the State Code, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council



**648.04            DISORDERLY CONDUCT.**

\*                            \*

(e) Whoever violates any of the provisions of this section is guilty of disorderly conduct, a minor misdemeanor of the ~~fourth~~ degree, except if the offender persists in disorderly conduct after reasonable warning or request to desist, or if the offender is within 1,000 feet of the boundaries of any school, school premises, or school building, disorderly conduct is a misdemeanor of the ~~third~~ fourth degree.

\*                            \*